

IN THE CLAIMS:

1. (Currently Amended) A substantially purified nucleic acid molecule that encodes a ~~maize or soybean~~ ribulose-bisphosphate carboxylase enzyme ~~or fragment thereof~~, wherein said nucleic acid molecule comprises the sequence of SEQ ID NO:5 or complete complement thereof.

Claims 2-22 (Cancelled)

23. (Currently Amended) A substantially purified nucleic acid molecule comprising [[a]] the nucleic acid sequence of SEQ ID NO:5 or complete complement thereof.

24. (Currently Amended) A substantially purified nucleic acid molecule consisting of [[a]] the nucleic acid sequence of SEQ ID NO:5 or complete complement thereof.

Claims 25 - 28 (Cancelled)